

UNITED STATES OF AMERICA

Alleged Plaintiff

v.

Michael George Fitzpatrick

Defendant in Error

CR  
> 2:10-0089-N-LAB  
>  
> 13-30154  
> Amended Appeal Additions

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U.S. COURT OF APPEALS

JUN 24 2013

FILED DOCKETED DATE INITIAL

2  
3 Comes now, a falsely imprisoned man, kidnapped  
without consent, Michael George Fitzpatrick, who  
demands this court, and the 9th Circuit Court of  
Appeals release me for its reversible errors,  
lack of both due process and jurisdiction.  
4 For the record I accept all oaths of all  
people who hold office, especially Judge Lodge,  
Judge Burns, Lori Hendrickson, Eric Mooshegan,  
Sherman Burger, etc, bind them to their oaths  
and remind them of their fiduciary responsibility  
to me.

5 The courts must accept this document as I  
was moved without notice, no funds to buy stamps, and  
it took this long to obtain materials.

6 Both Judges and prosecutor have committed  
7 Several reversible errors on appeal.

8 Lori Hendrickson HAS NOT established jurisdiction

Ms. Hendrickson has a duty to investigate the alleged case prior to bringing it to a Grand Jury. I was never allowed to face my accuser and thus never allowed cross examination who was the man or woman who assessed the original complaint. Who is <sup>the</sup> mystery man or woman from the IRS who brought this case against me? Why were they NEVER put on the stand for me to cross examine? IRS Agent Sherman Burger testified in Sept. 2012 he was the third Agent, not the first.

Both Judges have a duty to allow only valid witnesses in every case, which also includes omissions. (See Franks v. US)

Larry Burns stated on the record, "the return of an indictment establishes jurisdiction". Then he goes on to state, "the indictment is simply an allegation". It is not a fact! The indictment itself is defective. There are not any oaths on it what soever!? Judge Burns promised me I could inspect the original, which is proper procedure, and never did. Another reversible error.

Ms. Hendrickson said she established two different ways. One, was possession of a birth certificate. What does this factually prove? Is it proof I was "born" anywhere? That document was created by the State, and is an instrument of theirs, not me or mine. If anything, I am the beneficiary of that trust, and this court is tricking me to act as trustee, which I decline and am not!

1 Ms. Hendrickson states the witnesses testified I (3)  
2 was in the "District of Idaho." Are these the same  
3 witnesses who were ALL declared incompetent and  
4 beyond their scope? She impeaches her own witnesses  
5 when I cross examine them, sustained by Judge  
6 Lodge, then uses them adversely against me?

7 Ms. Hendrickson testified on the record on  
8 both trials. She is not allowed to. Both Judges  
9 allowed her testimony and should be sanctioned  
10 for doing so. She biased the jury by stating, "  
11 I can go to the Bellagio and afford to gamble  
12 due to not paying income taxes". Therefore,  
13 EVERY person who ~~was~~ participates in the  
14 gaming industry according to Ms. Hendrickson  
15 is guilty of tax evasion. This bias proves I  
16 was/am not allowed a fair trial by an impartial  
17 Judge and Jury, prosecution.

18 Ms. Hendrickson lied to the court, jury saying  
19 I owned a "debt relief company" called Nevada  
20 Corporate Planners and made profits. Not only  
21 are there no facts in evidence of either, this  
22 company still is in operation and is owned  
23 by Scott Letterneau, and I was a client! More  
24 lies, errors that demand both dismissal, and  
25 recusal, release from prison immediately with  
26 damages.

27 SUMMARY

Both Judges ~~allowed~~ <sup>allowed</sup> witnesses that they ~~sustained~~ <sup>sustained</sup> prosecutors impeachment of those witnesses. Reversible errors on appeal. Both trials were promised to use the venue under the constitution, yet are not an Article III Court.

Both Judges and Prosecutor have acted outside their authorities and broken the laws criminally. Both have committed fraud on the court by the court.


The alleged defendant does not consent by appearance as all appearances were done under threats, duress, and coercion. Prosecution never provided subject matter or simple jurisdiction.

The indictment has fatal errors and omissions. My Partner got a deal by you not me. That alone proves this was not a fair trial.

### Remedy Sought

Release me immediately. Repent and Sin no more, Repair by damages.

Michael George Fitzpatrick

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### Certificate of Service

Court clerk will notify parties electronically